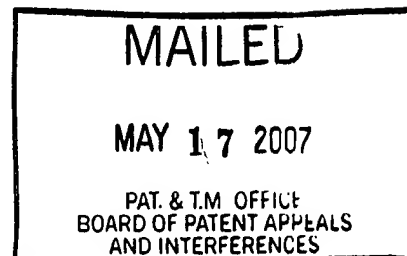


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCE

Ex parte: THEODORE JACK LONDON, RANDY SCOTT HUMPHREY,
DAIVS KENT SOPER and XIAOYAN ZHANG

Application 09/750,255



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on March 27, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

A review of the Image File Wrapper (IFW) indicates that an Order Returning Undocketed Appeal to Examiner mailed October 25, 2006, requested that a Supplemental Appeal Brief be submitted that is in compliance with 37 CFR § 41.37(c). An amended Appeal Brief was filed on December 7, 2006. Therefore,

Application 09/750,255

this application is being return to the Examiner for consideration of the amended Appeal Brief.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to consider the Amended Appeal Brief Filed December 7, 2006;
- 2) provide appropriate written notification by the Examiner to Appellants of such consideration; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



PATRICK J. NOLAN

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PJN/pgc

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